



**BOARD OF SELECTMEN**  
**Minutes**  
**Joseph F. Bilotta Meeting Room, Town Hall**  
**May 10, 2016**

**Board of Selectmen:** Jamie Toale, Chairman; Robert Ebersole, Vice Chairman; Tom Alonzo, Clerk; Paula Bertram, Member, Phyllis Luck, Member

**Others in attendance:** Kerry Lafleur, Town Manager

The meeting commenced at 6:00 p.m. Mr. Toale stated the reason for meeting in Executive Session. "Chapter 30A, § 21A (9), to discuss strategy with respect to collective bargaining or litigation if an open meeting may have a detrimental effect on the government's bargaining or litigating position, and the Chair so declares, to review IBPO Local 453 AFL-CIO and Public Employee Committee Negotiations."

**Motion: R. Ebersole**

**2<sup>nd</sup>: P. Luck**

**To enter Executive Session and upon adjournment to enter into Open Session**

**Vote: Mr. Ebersole- aye, Ms. Luck- aye, Mr. Toale- aye**

\*\*\*\*\***Executive Session Minutes Are Separate**\*\*\*\*\*

The meeting was called to order at 7:08 p.m.

**Public Comment:**

Ms. Luck stated May 11<sup>th</sup> is National School Nurse Day. She thanked the Lunenburg School Nurses for all they do for the children of Lunenburg. Mr. Alonzo wanted to remind everyone that Saturday, May 21<sup>st</sup> is the day of the Uptown Stroll from 10:00 a.m. to 3:00 p.m. It involves four public buildings in the center: Eagle House Senior Center, Public Library, Boys and Girls Club Teen Center and Lunenburg Historical Society. There will be activities going on in those buildings throughout the day. Uptown Strollers will be issued a "Stroll Passport, "which if checked off at each of the buildings, you will be entered into a raffle at the end of the day. The raffle is for a gift basket donated by Eagle House Supporters that will contain 10 gift certificates from area businesses.

Mr. Alonzo announced with deep sadness the passing of Jean Hobbs. She was a mainstay in this town for many years. He read excerpts from her obituary aloud. He wanted to thank her for her service and her family for sharing her with us. Mr. Ebersole noted her daughter has every single news column she wrote for the town.

Mr. Toale stated there will be a volunteer booth for town committees/boards set up at the Historical Society during the Uptown Stroll. Anyone interested in finding out more about any of the boards should come by. Talent bank forms shall be available to fill out. He also has a call out to members of committees to take a shift to give information about their committee to any interested people. May 21<sup>st</sup> is also Election Day for Lunenburg. Polls are open at the T.C. Passios Building from 7:00 a.m. to 5:00 p.m. Absentee ballots are available until Noon on May 19<sup>th</sup> at the Town Clerk office.

Tomorrow is the Lunenburg Turkey Hill pancake breakfast at Eagle House Senior Center from 8:00- 11:00 AM. The price is \$2 per person for pancakes, sausage, tater crowns, fruit, pastry, juice and coffee. Take out is available.

**Pole Petition Public Hearing for Oak Avenue**

Mr. Toale read the pole petition hearing notice:

To All Interested Parties:

In conformity with the requirements of Section 22 of Chapter 166 of the General Laws (Ter. Ed.), you are hereby notified that a public hearing will be held at the Town Hall, 17 Main Street, 2<sup>nd</sup> Floor, in the Joseph F. Bilotta Meeting Room, Lunenburg, MA, on Tuesday, May 10, 2016 at 7:00 PM upon petition of VERIZON NEW ENGLAND INC. and UNITIL

FITCHBURG GAS & ELECTRIC for permission to erect or construct, and a location for, a line of wires, poles and such other fixtures as may be necessary to sustain or protect the wires of the line, for the transmission of electricity, upon, along, across, or under the following public ways of said Town:

Location: Oak Avenue: Place one (1) jointly owned pole numbered T.10 ¼ 11A on the northwesterly side of Oak Avenue at a point approximately five hundred and ninety-five feet southwesterly from the center line on Northfield Road.

Verizon representative Bill Oz came forward in regards to the pole petition. He stated there is new construction on Oak Avenue and the span between pole 11 and pole 12 is so long that the cables sag between them. This is a petition to place a pole mid-span to alleviate that situation. Mr. Ebersole stated he drove by that site and noticed that cable was propped up by a branch. Ms. Bertram asked Mr. Oz if he knew where the new driveways were going in relation to the pole placement. He said he personally has not but the engineer should be touching base with the developer. Mr. Toale asked for public comment; there was none.

**Motion: T. Alonzo**

**To approve the pole petition as presented**

**2<sup>nd</sup>: P. Bertram**  
**Vote: All in Favor**

### **Tollbooth Fundraiser request- Boys and Girls Club- May 14<sup>th</sup>**

Mark Souza presented for the tollbooth request. They are looking for approval for their tollbooth fundraiser for this Saturday from 9:00 a.m. to 1:00 p.m.

**Motion: R. Ebersole**

**To approve the request for the tollbooth fundraiser this Saturday between 9:00 a.m. to 1:00 p.m. and to note the special conditions listed on the request form**

**2<sup>nd</sup>: P. Bertram**  
**Vote: All in Favor**

Mr. Souza thanked the Board and exited the meeting.

## **CURRENT BUSINESS**

### **1. Memorial Day Resolution**

Mr. Toale wanted to have a discussion in advance of the day. The planning group is arranging to have their ceremony on Sunday, May 29<sup>th</sup> at 9:30 a.m. at Veterans Memorial Park. They are still pulling together the program. He would like to create a resolution declaring Sunday, May 29 as the day of observance in Lunenburg and that the flags will be lowered to half-staff at the ceremony and remaining at half-staff throughout Monday, May 30<sup>th</sup>. The Board will sign it at their next meeting.

**Motion: R. Ebersole**

**To create a resolution for Memorial Day**

**2<sup>nd</sup>: P. Bertram**  
**Vote: All in Favor**

Mr. Toale also invited a Board member to read the resolution at the ceremony on the 29<sup>th</sup>. Ms. Bertram asked if all of the flags flown in town are properly illuminated. If they are not, arrangements should be made to have them illuminated or taken down before daily. Ms. Lafleur will follow up on this matter.

### **2. Request to Join Central Mass Regional Stormwater Coalition**

Ms. Luck reported the Storm Water Task Force recently discussed joining this coalition at one of their meetings. She has been at presentations given by this coalition and has been impressed by their work. She referred to a presentation given by them on April 15, 2015 on "What's Next" and read aloud the accomplishments the group has achieved. They included developing a partnership with Mass DEP, USEPA, DCR and other groups, serving as a role model for four other new coalitions in MA, providing a forum for collaboration between towns, submitting comment on the 2014 draft MA Ms4 permitting and more. They are also working with towns to help understand actual expenditures for a stormwater program and project into a new permit, spending one on one time to help towns to get what they need most out of the coalition, providing ideas about how to fund stormwater programs and working with the EPA to identify grants appropriate for their work. They are currently limiting the coalition to 30 member communities. They just received a \$50,000 MAEPA grant to help comply with upcoming federal requirements for managing stormwater. It will used for training and technical assistance for the member communities. The task force believes the coalition's assistance would be very helpful since the task force is just getting started and they are

comprised of volunteers not engineers. She also presented a copy of the intermunicipal agreement with the coalition and noted the agreement if signed would become effective on July 1, 2016 and runs through 2020. The annual membership fee is \$4,000.

Ms. Bertram stated it was a great idea but noted looking at the map of the member communities that none of them border Lunenburg. Under the section "Who We Are", it states as neighbors, our 30 communities share stormwater systems, surface water resources and the need to endure the long-term protection of these resources. Lunenburg has resources to protect as well. Her hope would be if Lunenburg does join, they could encourage some of their neighbor communities to join as well. She asked if the member limit was in fact just 30 communities. Ms. Bertram added it was important the town look at stormwater as a regional issue.

Mr. Toale stated he was thinking similar to Ms. Bertram as this is more of a central MA regional group. He asked if we should try to get a north central group organized or should we lobby for our neighbors to be able to join at some time in the future? Ms. Luck stated there was a group in Lowell but they were not at the caliber of the Central MA Regional Stormwater Coalition. She thought their resources would be helpful even if just for one year. Mr. Alonzo noted that Lunenburg was only one town away from the member group similar to Harwick being one town away from the central group. He thought they would have good information to share. Mr. Ebersole added there is a clause to withdraw from the coalition with a 60 day notice if there is another regional group that would make more sense to join. Ms. Lafleur reported there is \$40,000 in the budget this year and \$50,000 for fiscal 2017 for stormwater activities. The Board took no action as they wanted to review the agreement. They will review again at the May 17 meeting.

Facilities Director John Londa presented an update on a project that has been in development for about two years. Last June he applied for a Department of Energy Resource grant to hire a solar technical advisor. The grant awarded \$12,500 to bring on an advisor. Robert W. Patterson & Associates of Arlington, MA was selected. They put together a Request for Proposals (RFP) and advertised it in February 2016. He received two proposals for placing solar equipment on the Lunenburg middle/high school roof and the DPW garage roof. One bid was from Solect Energy Development LLC and the other was from Ecasolar. Solect Energy is the preferred bidder with more favorable pricing. Both projects were contingent on using SREC II (solar renewable energy credits). Solect Energy proposed placing a 361 kilowatt system on the new middle/high school and a 35 kilowatt system on the new DPW garage. It would be a 20 year contract for the middle/high school at 8.3 cents/kw hour and 13.5 cents/kw hour for the DPW, both at fixed rates. They guaranteed 85% of their performance; 400 kw hours for the middle/high school and 35,000 kw hours for the DPW garage. It was determined that it will require 850,000 kw/year for the middle/high school and around 35,000 kw/year to run the DPW garage. Also included is a lease payment of \$1000/month for the middle/high school; there was no lease payment for the DPW. Annual savings would be \$62,080 for the middle/high school and \$3,472 for the DPW garage. He recommended sending a letter to Solect Energy informing them that they were awarded the bid and request a copy of their proposed lease. He stated one thing they need to get resolved was that the Board had informed special town meeting that even though they were authorized to enter into long-term alternative energy power purchase agreements, they would return to town meeting to inform the voters. He proposed that they resolve that hurdle. Additionally the School Committee wanted to be kept informed on the project and were concerned about the location and appearance of the panels on the new buildings. Solect Energy will be placing the conduit going to the flat rooves that affords over 13,000 square feet for solar panel space. Mr. Londa believed the School Committee was concerned about whether the panels should be visible or not. Mr. Londa stated they would probably rediscuss this issue after town election. All of this hinges on the developer finishing the work before the end of the calendar year due to the SREC II time limit.

Mr. Alonzo asked about the school roof warranty being affected by placing solar panels on them. Mr. Londa stated flat rooves have a polyvinyl chloride membrane on them and they come with requirements that the vendor has to meet, he provided those requirements in the RFP. The solar panel vendor has to warranty the roof for two years from the completion of the project. On the flat roof, the panels would not penetrate the roof, they would be ballistered.

Mr. Toale asked if the Board were to bring forward the agreement at a fall special town meeting, would there be enough time to execute the project. Mr. Londa did not believe so. Discussion ensued what was actually said at

town meeting to the voters concerning long-term contracts. The meeting recording will be reviewed for what was actually said. It was suggested to hold a public hearing for the voters to be informed of the project. The Board thought this was a great project and thanked Mr. Londa for his work. He exited the meeting.

### **3. License Application Processing Cost**

Ms. Lafleur reported that Executive Assistant Peterson had provided an analysis of what tasks and time is involved in processing a license. Ms. Lafleur proposed reexamining annual license fees and charging a fee for a transfer. Transfers require the same amount of and sometimes even more time as new applications. She will bring this back to the Board in the beginning of June.

### **4. Proclamation Signatures for Eagle Scout Ceremonies**

The Board signed two proclamations for upcoming Eagle Scout ceremonies.

### **5. Annual Town Meeting Follow up**

Mr. Ebersole wanted to thank everyone who came out and stayed for the entire town meeting so a quorum could be maintained. Mr. Toale wanted to thank Town Manager Lafleur and her staff for coordinating the annual town meeting. It was a very efficient meeting. Mr. Ebersole appreciated that amendments made on town meeting floor were shown on the screen for all to view.

### **6. Minutes/Warrants/Action File Issues**

The Board signed an Accounts Payable warrant in the amount of \$99,851.72. The Board signed the 4<sup>th</sup> Quarter Water Commitment of FY 2016 in the amount of \$8,791.20.

**Action File:** Ms. Bertram stated she would like to resolve the parking lot situation at the Teen Center. Tonight she went to pull in to the parking lot and it was blocked off with cones. At 6:00 p.m. at night we have such limited parking in the center that we cannot afford to lose all those parking spaces. Ms. Lafleur stated she would have something for the Board by their next meeting. There has been discussion between the Senior Center and the Boys and Girls Club but she was waiting until after town meeting.

Mr. Alonzo asked about the larger size trash bags status for the Pay As You Throw program. Ms. Lafleur stated that would also be on the next agenda. She will look at the contract to see if there is a weight limit in the contract.

### **7. Committee Reports**

Mr. Ebersole reported he had no reports other than the Sewer Commission is meeting tonight. Mr. Alonzo reported School Building Committee and Cable Advisory will meet in June. Finance Committee meets this Thursday. Ms. Bertram reported the Planning Board continues to work on their bylaws. They talked about the site plan component. They are planning to forward a draft to the Board of Selectmen, the engineers they work with on a regular basis and peer review engineers. They are hoping to hold a public hearing in June. Planning Board member Allison reported the Town of Acton has a sidewalk fund. If there is a subdivision in a remote location where the sidewalks don't connect to anything, sometimes a waiver is granted. They still collect the funding for the sidewalks and deposit it into the fund for sidewalks in areas that are walkable elsewhere. The Planning Board is going to research the concept further. The next bylaw change they are looking at would be the use table. They did endorse the changes on the Unital plan which was the addition of the storm sceptor that Conservation Commission had requested.

The Conservation Commission met and discussed 101 Pleasant Street. The engineer had returned for guidance on the remediation. There will be another site visit. She requested an update from Ms. Lafleur on the town side. Ms. Lafleur stated she had asked Land Use Director Burney to be prepared to present an update to the Board following town meeting. She will have an update for the next meeting. Ms. Bertram stated Kinder Morgan also wants remediation because it affects their property. The property owner at 171 Lancaster Road came in due to an enforcement order. There is a drainage issue and they will be working with DPW to alleviate that. The property owner at 338 Sunset Lane also appeared in response to an enforcement order for a wall. The commission is looking at ways to remediate that with the owner.

Ms. Luck reported the School Committee met on May 4<sup>th</sup>. High School teacher Mary Foyle presented a community service learning project that is planned for next year. She would like to present it to the Board of Selectmen to get feedback on opportunities the seniors could use for community service work. There is movement on eliminating bus fees by offering adult education classes. This could cover the \$30,000 for bus fees. The Storm Water Task Force is working on a potential 319 Nonpoint Source grant application which is due June 1<sup>st</sup>. They reached out to the Hickory Hills Lake Management Association to see if they are interested in working on Mulpus Brook above the lake that runs through the town forest. They have also reached out to the Lake Shirley Improvement Corporation to see if they would like to work together to make improvements in the watershed to reduce nutrient loading of the lake. The grant offers up to \$600,000 but it requires a 40% match, half in cash, half in kind.

The task force is conducting a small scale cleanup of the area where Route 70 and Leominster-Shirley Road meet on Saturday morning. DPW Director Rodriquez thought that was an area that needed the most attention. DPW will provide bags and gloves for the cleanup crew. They hope this is the beginning of a much larger effort and that they can learn from this experience. They are seeking volunteers. Their next meeting is Thursday, May 12<sup>th</sup>.

Ms. Bertram noted that the outlet leaving Hickory Hills is the issue due to high water temperatures. There are different creative options to try to decrease the temperature. Ms. Bertram stated she had looked at the 319 grant application and did not see a request for a cash match, only an in kind contribution. Ms. Luck noted the chances of getting a grant awarded if a cash match is indicated.

Mr. Toale reported Capital Planning's recommendations were approved at annual town meeting. They agreed to meet to continue discussion for the future. Building Reuse Committee also received approval for the market analysis at town meeting.

#### **Town Manager Report-**

Ms. Lafleur reported the town had been notified on March 29<sup>th</sup> of a proposed acquisition by MDAR of Lanni Orchards for agricultural preservation restriction. The state has done an appraisal and we awaiting that. She explained the town is expected to make a match of 5% or 10% depending on certain factors. More information will be coming at a later date.

Mr. Toale stated their next meeting will be May 17<sup>th</sup>.

**Motion: P. Bertram**

**To adjourn the meeting at 8:24 p.m.**

**2<sup>nd</sup>: P. Luck**

**Vote: All in Favor**

Respectfully submitted,

*Elaine M. Peterson*

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Executive Assistant to the Town Manager